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November 13, 2000

BY HAND DELIVERY

Magalie R. Salas, Esquire

Secretary

Federal Communications Commission

445 12th Street SW, Room TW-B204

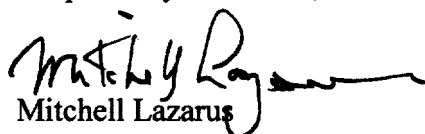
Washington, DC 20554

Re: Petition for Rulemaking

Dear Ms. Salas:

Submitted herewith on behalf of Hexagram, Inc., are an original and four copies of its Partial Opposition to Petition for Rule Making of The Land Mobile Communications Council.

Respectfully submitted,


Mitchell Lazarus

Counsel for Hexagram, Inc.

ML:deb

Enclosure

cc: Commissioner William E. Kennard
Commissioner Harold Furchtgott-Roth
Commissioner Susan Ness
Commissioner Michael Powell
Commissioner Gloria Tristani
Thomas J. Sugrue, Chief
D'wana R. Terry, Chief
Mark E. Crosby, Land Mobile Communications Council
Larry Sears, Hexagram, Inc.

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Before the
Federal Communications Commission
Washington DC 20554

In the Matter of)	
)	
1998 Biennial Regulatory Review --)	WT Docket No. 98-182
17 C.F.R. Part 90 -- Private Land Mobile)	RM-9966
Radio Services)	
)	
Replacement of Part 90 by Part 88 to Revise)	
the Private Land Mobile Radio Services and)	
Modify the Policies Governing Them)	
)	
and)	
)	
Examination and Exclusivity and Frequency)	
Assignment Policies of the Private Land)	
Mobile Services)	

**PARTIAL OPPOSITION OF HEXAGRAM, INC.
TO PETITION FOR RULE MAKING OF
THE LAND MOBILE COMMUNICATIONS COUNCIL**

Pursuant to Section 1.405 of the Commission's Rules, Hexagram, Inc. (Hexagram) hereby opposes the Petition for Rule Making of the Land Mobile Communications Council (LMCC Petition) filed on September 11, 2000, to the limited extent set out below.¹ Hexagram otherwise supports the Petition.

Hexagram is a leading provider of low-power radios (2 watts and below) for automatic meter-reading applications.

¹ The LMCC Petition appeared on public notice in Report No. 2442 (released Sept. 28, 2000).

A. The Commission Should Deny LMCC's Request to Permit Base Station Use of Low Power Frequencies.

The current Part 90 low-power rules at 450-470 MHz specify a maximum 2 watts output power.² LMCC seeks to introduce 20 watt base stations, with antenna elevations up to 23 meters (75 feet), as to 50 channel pairs.³

The change is unwise because it would severely limit frequency re-use of these channels. LMCC anticipates a 50 mile range, as compared with the present maximum of about 10 miles, under ideal conditions. This would result in an approximate 25-fold expansion of a channel's service area, with a corresponding reduction in the number of operators that can be accommodated in a given geographical area.

There is increasing demand for low-power channels to serve a variety of socially beneficial applications, such as automatic meter reading and a huge variety of sort-range applications, including construction, telemetry, and site security. The LMCC proposal would severely reduce the number of such applications that can be implemented. Yet LMCC has offered no countervailing public-interest considerations to offset that disadvantage. The Commission should deny this request, and should require users needing powers higher than 2 watts to seek non-low-power licenses, as they do today.

B. Non-Coordinated Operation Should Not Be Permitted on Channels Presently Occupied by Coordinated Users.

LMCC requests that 25 channel pairs be set aside for non-coordinated, itinerant use and identifies 25 specific pairs for this purpose.⁴ Hexagram agrees in principle with LMCC on the

² 47 C.F.R. Sec. 90.267(a)(2).

³ LMCC Petition at 6.

⁴ LMCC Petition at 7-8, 13.

potential value of non-coordinated, itinerant frequencies. Before proposing such a rule, however, the Commission should satisfy itself that no users are coordinated on these frequencies.

Some low-power applications, such as automatic meter reading, entail the installation of tens or hundreds of thousands of units in a given area. These devices have a life expectancy measured in decades, and are often installed in relatively inaccessible locations in businesses and private homes. Users rely on frequency coordination to protect against harmful interference and to maintain acceptable levels of reliability. The presence of itinerant users on these frequencies would pose an intolerable threat of interference to vital services.

■ ■ ■ ■

With these two reservations, Hexagram supports the LMCC Petition.

Respectfully submitted,



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November 13, 2000